

UNITED STATES OF AMERICA
IN THE DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

TYLER P. WISS; and
MELODY M. MCKENNA,

Case No: 22-CV-02047-JWB-LIB

Plaintiffs,

vs.

PROCTOR INDEPENDENT SCHOOL DISTRICT 704,
DEREK B. PARENDO;
COLE LIPINSKI;
PHILLIP MOGEN;
ALEX OACHS;
ERIK EDMUNDS;
MATT SOLBERG; and
JOHN E. ENGELKING.

Defendants.

**DECLARATION OF NATHAN M. COCKERHAM IN SUPPORT OF
PETITION FOR APPROVAL OF SETTLEMENT
AND COMPROMISE OF MINORS CLAIM**

STATE OF WISCONSIN)
)ss.
COUNTY OF DOUGLAS)

Nathan M. Cockerham being duly sworn on oath deposes and states as follows:

1. I am one of the attorneys of record for Plaintiff in the above-entitled matter. I have personal knowledge of the matter set forth below.
2. This is a tort action brought by the parents of the minor T.W.
3. After pretrial motions, and discovery, Plaintiffs and Defendants began exploring the possibility of settlement. To this end, on October 18, 2023, the parties engaged in a full day mediation before the Honorable John Rodenberg. At the mediation the parties agreed

to a settlement and reached a settlement agreement. In return for the consideration identified in Exhibit A, Plaintiffs will fully release Defendants from all claims arising out of or related to the facts underlining this suit and will dismiss their lawsuit with prejudice.

4. The Plaintiffs have agreed to distribute the settlement proceeds as set out in Exhibit A. The agreed upon attorney fees representing 33% of the gross recovery amount and all litigation costs will be paid exclusively out of T.W.'s settlement share.
5. Although T.W. was a minor at the time this litigation was commenced, he reached the age of majority on October 27, 2023.
6. Petitioner will provide T.W. with approximately 13% of his net settlement in certified funds.
7. Petitioner will then deposit T.W.'s remaining portion of the settlement proceeds in a structured settlement account held by Ringler Associates.
8. Petitioners will not be able to make any withdrawals from the account absent written evidence that the withdrawal is to be used for the benefit of T.W.
9. All Plaintiffs are represented in this matter by Nathan M. Cockerham and Stephen J. Olson of Ledin, Olson & Cockerham, S.C. Plaintiffs hired Ledin, Olson & Cockerham, S.C. on a contingency fee basis, with the fee being 33% of the total recovery amount for Plaintiff. In the event of recovery, Ledin, Olson & Cockerham, S.C. is further entitled to recover its costs incurred in prosecuting this litigation. Ledin, Olson & Cockerham, S.C.'s sole source for its fee and reimbursement of costs is from any amount recovered for the benefit of Plaintiffs.

LEDIN, OLSON & COCKERHAM, S.C.
Attorney for the Plaintiffs



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